

REMARKS

Claims 1-6 are all the claims pending in the present application. The Examiner applies the same reference as set forth in the previous Office Action, however the Examiner changes the rejection from an anticipation rejection to a obviousness rejection. Specifically, claims 1-6 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Lee (U.S. Patent No. 5,574,720).

With respect to independent claim 1, Applicants previously argued that Lee does not disclose or suggest at least, “a mixer (M) adapted to detect the empty information cells and replace them with waiting cells,” as recited in claim 1. The Examiner acknowledges that Lee discloses that a process-after-standby type cell processor 23 checks whether a cell buffer of the cell temporary storage device is in an empty state, and if so, the processor 23 passes the input cell. Nowhere, however, does Lee disclose detecting empty information cells and replacing them with waiting cells. There is no mention in Lee of at least the replacing operation.

The Examiner does not respond to this specific argument. Accordingly, Applicants maintain this same argument.

Applicants maintain that independent claim 4 is patentable at least based on reasons similar to those set forth above with respect to claim 1. Applicants submit that dependent claims 2, 3, 5, and 6 are patentable at least by virtue of their respective dependencies from independent claims 1 and 4.

Further, with respect to claims 2 and 5, Applicants previously argued that Lee does not disclose or suggest a relay comprising, inter alia, “a deleter (D) for deleting an information cell

stored in said mass memory when it has been sent by said transmitter to said receiver,” as recited in claim 2 and similarly recited in claim 5. Applicants argued that the invention of Lee performs this alleged operation when a cell buffer is determined to be empty. Nowhere, however, does Lee disclose or suggest the conditional feature that the deleting of the information cell stored in mass memory is performed when it has been sent by said transmitter to said receiver.

In response, the Examiner alleges:

Regarding claims 2 and 5, Lee teaches the method and apparatus of claims 1 and 4; however, Lee does not specifically teach a deleter (D) for deleting an information cell stored in said mass memory when it has been sent by said transmitter to said receiver. However, Lee teaches the process-after-standby type cell processor 23 outputs a cell previously stored in the cell buffer and stores the input cell in the cell buffer. The cell buffer is a temporary storage device 17. (See Fig. 3 and col. 5, lines 39-49). The temporary storage device would be obviously having a deleting function to delete the cell information when the cell has been sent. Thus, it would have been obvious to one who has ordinary skill in the art at the time the invention was made to delete an information cell after it has been set because lee teaches temporary storage device 17 (Fig. 3).

In response, Applicants submit that even if, *arguendo*, the cell buffer is a temporary storage device 17, there is no disclosure or suggestion of the specific temporal aspects of claims 2 and 5 where an information cell stored in mass memory is deleted when it has been sent by said transmitter to said receiver. Accordingly, Applicants maintain that Lee does not teach or suggest the above quoted feature of claim 2 and similarly recited in claim 5.

At least based on the foregoing, Applicants submit that claims 1-6 are patentably distinguishable over Lee.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

AMENDMENT UNDER 37 C.F.R. § 1.111
U. S. Application No. 10/043,326

ATTORNEY DOCKET NO. Q68075

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

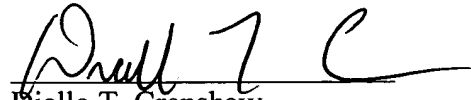
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